

BRB No. 06-0406

MANUEL LOPEZ	)	
	)	
Claimant-Petitioner	)	
	)	
v.	)	
	)	
PORT CONTAINER INDUSTRIES, INCORPORATED	)	DATE ISSUED: 03/03/2006
	)	
and	)	
	)	
LIBERTY MUTUAL INSURANCE COMPANY	)	
	)	
Employer/Carrier- Respondents	)	ORDER

Claimant has filed a Notice of Appeal with the Board, contending that the district director's failure to act on his counsel's April 18, 2005, petition for an attorney's fee is tantamount to a denial of an attorney's fee. This appeal is assigned BRB No. 06-0406. All further correspondence with the Board concerning this appeal should reference this number.

We dismiss claimant's appeal, as the district director has not issued a decision awarding or denying an attorney's fee or sent any correspondence that could be construed as a final action on the attorney's fee petition. As a decision has not been issued, the Board lacks jurisdiction over this appeal. *See* 33 U.S.C. §921(b); 20 C.F.R. §802.201; *see generally Healy Tibbitts Builders, Inc. v. Cabral*, 201 F.3d

1090, 33 BRBS 209(CRT) (9<sup>th</sup> Cir.), *cert. denied*, 531 U.S. 956 (2000). Claimant is advised to file with the district director a motion seeking action on his attorney's fee petition.

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NANCY S. DOLDER, Chief  
Administrative Appeals Judge

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REGINA C. McGRANERY  
Administrative Appeals Judge

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JUDITH S. BOGGS  
Administrative Appeals Judge